

COMMISSION ON INDIGENT DEFENSE

Minutes for Commission Meeting December 11, 2015

Location: Conference Room, SC Commission on Indigent Defense, 1330 Lady Street, Columbia, SC

Attending Members: Harry Dest, Hon. Murrell Smith, Doug Strickler, Yvonne Boyles, Ashley Pennington, Hon. Edward Cottingham, Jack Howle, John Nichols, Walker Willcox.

Attending Staff: Patton Adams, Hugh Ryan, Lawrence Brown

There being a quorum, the Chair called the meeting to order.

Minutes of September 25, 2015 Meeting: Because of Ms. Campbell's absence, the minutes were not available for consideration. The Commission was informed that they would be available for consideration at the next meeting.

Future Meeting Dates: The next meeting was tentatively scheduled for the last Friday in February, 2016.

Executive Session (Legal Matters): A motion was made to go to executive session to discuss legal matters related to a lawsuit involving the Ninth Circuit Public Defender. Mr. Pennington recused himself from involvement in those discussions. The motion was seconded and passed unanimously, and the Commission went into executive session. Upon return from Executive Session, the Chair reported no motions were made and no business was conducted in Executive Session.

Circuit Defender Nominations: Upon return from Executive Session, the Commission considered nominations for Circuit Public Defenders for the 3rd, 9th and 16th Circuits.

Third Circuit: The Commission was informed that the Third Circuit Public Defender Selection Panel had nominated Jack Howle to serve another four-year term. A motion was made to accept the nomination. The motion was seconded and approved by unanimous vote. Mr. Howle recused himself from any participation in this matter.

Ninth Circuit: The Commission was informed that the Ninth Circuit Public Defender Selection Panel had nominated Ashley Pennington to serve another four-year term. A motion was made to accept the nomination. The motion was seconded and approved by unanimous vote. Mr. Pennington recused himself from any participation in this matter.

Sixteenth Circuit: The Commission was informed that the Sixteenth Circuit Public Defender Selection Panel had nominated Harry Dest to serve another four-year term. A motion was made to accept the nomination. The motion was seconded and approved by unanimous vote. Mr. Dest recused himself from any participation in this matter.

2016-2017 Budget Request / County Funding Data: Mr. Ryan presented the results of a survey conducted by staff to compare county funding of the Public Defender Offices and Solicitor Offices throughout the State, noting the significant disparities between increases in funding for the public

defenders and the solicitors. Mr. Ryan outlined the funding increases being requested by the Solicitors including funding to hire domestic violence prosecutors for magistrates' courts. Mr. Ryan also explained the funding requirements necessary for the public defenders to hire sufficient attorneys to reduce attorney caseloads to fit within federal guidelines.

Municipal Court Representation: Mr. Ryan provided an update on the status of agreements for indigent representation in municipal courts pursuant to Proviso 61.12.

Right to Counsel Meeting Update: Mr. Ryan provided an update on a panel discussion he attended in Washington, D.C. regarding moving forward on matters related to right to counsel and widespread national interest in that subject.

PD 101/102 Update: Mr. Brown provided an update on the results of the Public Defense 101 seminar in November and plans for the Public Defense 102 Seminar the week of March 7th in Columbia.

The Chair asked for further business and there being none, a motion to adjourn was made, seconded and passed.

Respectfully submitted,

Lawrence Brown
Interim Assistant Director